



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS
INDETERMINATE SENTENCE REVIEW BOARD
P.O. BOX 40907, OLYMPIA, WA 98504-0907

DECISION AND REASONS

NAME: EVANS, Timothy
DOC #: 660124
FACILITY: Washington Corrections Center – WCC
DATE OF HEARING: January 16, 2019
TYPE OF HEARING: .100
PANEL MEMBERS: Lori Ramsdell-Gilkey & Jeff Patnode
FINAL DECISION DATE: January 28, 2019

This matter came before the above named Board Members of the Indeterminate Sentence Review Board (ISRB or the Board) for a .100 hearing in accordance with RCW 9.95.100. In preparation for the hearing, the Board reviewed Mr. Evans' ISRB file. Timothy Evans appeared in person and was represented by Attorney Cindy Jordan. Testimony was provided by Department of Corrections (DOC) Classification Counselor (CC) Margaret Hobbs.

LAST BOARD DECISION:

At the March 22, 2016 hearing, the Board found Mr. Evans not parolable and added 48 months to his minimum term. The Board recommended Mr. Evans improve his behavior, continue to participate in mental health treatment and take prescribed medication, and to complete "Thinking for a Change" if it was available to him.

CURRENT BOARD DECISION:

Based on the requirements of RCW 9.95.009(3) and RCW 9.95.100 and the totality of evidence and information considered by the Board, the Board finds that Mr. Evans is not parolable and adds 36 months to his minimum term.

NEXT ACTION:

Schedule a .100 hearing approximately 120 days prior to ERD.

REASONS FOR DECISION:

This was a deferred decision following a full Board discussion, using a structured decision-making framework that takes into consideration: the statistical estimate of risk, criminal history, parole history, ability to control behavior, responsivity to programming, demonstrated offender change, release planning, discordant information, and other case specific factors. Based on the requirements of RCW 9.95.100, the Board finds Mr. Evans is not parolable for the following reasons:

- **Has incurred an additional 9 serious infractions just since his last hearing, one of which was a serious fight.**
- **Did not complete the programming recommended by the Board at the last hearing.**

RECOMMENDATIONS:

It is critical that Mr. Evans improve his prison behavior and demonstrate he has the ability to control himself. He needs to cease the types of behaviors that are continually causing him to be sent to the IMU or to a different prison. The Board continues to recommend he complete Thinking for a Change. He should work on a detailed community release plan and seek out community supports. As Mr. Evans has indicated he has gone through a spiritual change now, it is expected he will be able to comply with these recommendations.

JURISDICTION:

Timothy Evans is under the jurisdiction of the Board on a 1981 conviction in Clark County, Cause #81-1-00360-5 for Murder in the First Degree. His time start is September 29, 1981. The minimum term was set at 300 months from a Sentencing Reform Act range of 257 to 343 months. His maximum term is Life. He has served 448 months and 101 days of jail time.

OFFENSE DESCRIPTION:

Mr. Evans (age 17) was living with his girlfriend and got into an argument with his landlord. He shot the landlord in the head, killing him. He left a note for the other residents indicating the victim had become ill and that he had taken him to the hospital. Mr. Evans' girlfriend helped him move the body to a shed, and the two of them fled the area using the victim's car. They were arrested the following day. The juvenile court declined jurisdiction, and Mr. Evans was prosecuted as an adult. The cause also included Second Degree Theft which had a 60 month concurrent sentence that has since reached its expiration date.

PRIOR CRIMINAL CONDUCT:

Mr. Evans' has an extensive juvenile history. In 1977 he was incarcerated at Naselle Youth Camp as "incorrigible". In February 1978 he assaulted a group life counselor at the camp by threatening the counselor with a baseball bat. He forced the counselor to open the door of the isolation cell, which allowed other juvenile inmates to escape. At that point he was transferred to Green Hill School for the Assault and Escape. His current offense occurred while he was on juvenile parole.

PROGRESS/BEHAVIOR:

CC Hobbs stated that Mr. Evans has been moved to several different prisons for both behavioral and safety reasons. She said Mr. Evans has received 9 serious infractions since last seen by the Board. One of these was for a fight with another inmate. Staff had to use OC spray. He has 8 minor infractions and 17 negative behavioral observations. Many of these were for failing to show up at scheduled call-outs. CC Hobbs noted that Mr. Evans has had his name legally changed (Ya'aqob Moshe Aaron Pfaffenberg Lieberschwitz) though he understands that he will continue to be referred to as Timothy Evans since that is the name he was sentenced under.

Mr. Evans is currently in the Washington Corrections Center/IMU for "protection" as he has concerns about certain inmates that are at Washington Corrections Center now. Mr. Evans acknowledged this has to do with his previous involvement in a security threat group years ago.

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Mr. Evans stated he completed MRT and participated in Celebrate Recovery since last seen by the Board. Mr. Evans said he takes medication for depression and meets with mental health staff 1:1 periodically. Mr. Evans stated he has gone through a change and had a “spiritual awakening” as a result of recognizing his own mortality. He has been diagnosed with Parkinson Disease and suffered a stroke. He said it has taken him 37 years to grow up and become responsible for himself. He understands that he will need a strong community release plan and would like to live in some sort of structured setting. Mr. Evans submitted an 8 page letter to the Board for consideration that basically outlines why he believes he is ready for release now.

LRG:ffo

January 22, 2019

January 28, 2019

January 31, 2019

cc: WCC
Timothy EVANS
Cindy Jordan, Attorney
File



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P.O. BOX 40907, OLYMPIA, WA 98504-0907

TO: Full Board

FROM: Lori Ramsdell-Gilkey (Fawn Opp)

RE: EVANS, Timothy DOC #660124

Panel recommends: Find not parolable and add 36 months to his minimum term.

Next action: Schedule .100 hearing 120 days prior to parole eligibility review date (PERD).

Agree	Disagree
Lori Ramsdell-Gilkey 1-28-2019 Jeff Patnode 1-28-2019 Elyse Balmert 1-28-2019 Kecia Rongen 1-28-2019	